

DONALD RAY PHILLIPS,)
)
Petitioner,)
)
vs.) Case No. 4:07CV00521 ERW
)
TROY STEELE, and CHRIS KOSTER,)
)
Respondents.)

This matter comes before the Court on Petitioner Donald Ray Phillips’ Application for Certificate of Appealability [doc. #56]. On November 18, 2010, this Court issued a Memorandum and Order [doc. #53], which denied Petitioner’s Petition Under 28 U.S.C. § 2254 for Writ of Habeas Corpus by a Person in State Custody. The Court’s November 18, 2010 Memorandum and Order also stated that Petitioner was denied a certificate of appealability.

Accordingly,

IT IS HEREBY ORDERED that Petitioner Donald Ray Phillips' Application for Certificate of Appealability [doc. #56] is **DENIED**.

Dated this 15th Day of December, 2010.

A handwritten signature in black ink, appearing to read "E. Richard Webber", is written over a horizontal line.

E. RICHARD WEBBER
SENIOR UNITED STATES DISTRICT JUDGE